REMARKS/ARGUMENTS

Amendments

Before this Amendment, claims 1-21 were present for examination. Claims 1, 4, 12, and 15-21 are amended. No claims are canceled or added. Therefore, claims 1-21 are present for examination, and claims 1, 4, 12, and 15 are the independent claims. No new matter is added by these amendments. Applicant respectfully requests reconsideration of this application as amended.

The Office Action dated October 26, 2005 ("Office Action") rejected claims 1, 2, 4, 5-8, 10-18, 20, and 21 under 35 U.S.C. §102(e) as being anticipated by the cited portions of U.S. Patent No. 6,493,688 to Das et al. ("Das"). The Office Action rejected claims 3, 9, and 19 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of Das in view of the cited portions of U.S. Patent No. 6,509,908 to Croy et al. ("Croy"). The Office Action also objected to claims 12 and 15 because of informalities, and these claims are amended to address the objections.

35 U.S.C. §102(e) Rejection, Das

As noted above, the Office Action rejected claims 1, 2, 4, 5-8, 10-18, 20, and 21 under 35 U.S.C. §102(e) as being anticipated by Das. For a valid anticipation rejection, the Office must show that each limitation from the claims appears in a single piece of prior art. The Applicant believes limitations from the amended independent claims are neither taught nor suggested in the Das reference. More specifically, Das cannot be relied on to teach or suggest a electronic program guide which is filtered to reflect only programming which is subscribed to, or accessible to, a particular user.

Amendments: The claims have been amended to recite certain embodiments of the invention more particularly. Support for the amendments is found in the Specification (Original Application, p. 5, ll. 19-25). Specifically, independent claims 1 and 15 have been amended to recite a step of determining the programming to which a user has subscribed. These claims call for compiling a second list of programs filtered to show programs to which a user has subscribed, and exclude programming to which a user has not subscribed. Claims 4 and 12 have

been amended to recite a step of determining programming to which a user has access. These claims call for compiling a second list of programs filtered to reflect only programming accessible to a user, and exclude programming to which a user does not have access.

The Specification addresses a rationale for such functionality, explaining that "a user is often presented a very long listing of programs or channels that are not necessarily available to that particular user. Even though one does not subscribe to subscription based services, that programming will nevertheless be displayed to the user as part of current program guides" (Original Application, p. 1, ll. 15-18).

Das Reference: The Das reference, in contrast, sets forth methods to filter channels according to user preferences. For example, Das recites that "[n]ormally, the EPG presents a complete schedule of all channels. When a user profile is selected, the EPG shows for each channel only the programs having a positive rating" from that user (Das, Col. 5, ll. 24). Das also describes a "zap-circle" of channels. "If a user-profile is selected, the zap-circle is limited to those channels broadcasting a program with a positive rating for the resulting combination of channel name and program category" (_Id._, col. 5, ll. 8-11).

The present claims are distinct, in that a list of programs are provided which, in claims 1 and 15, is limited to programs to which a user has _subscribed_. Das does not teach or suggest the limitation in the claims whereby a determination is made to identify the programs to which a user has subscribed. Nor does Das teach or a suggest the specified correlation between the "programs subscribed to" and the list.

In claims 4 and 12, a list of programs are provided which is limited to those programs to which a specified user has _access_. Again, while Das filters an EPG for a user according to the preferences of that user, claims 4 and 12 specifically recite that a determination be made to identify the programs to which a user has access. These claims limit the list of programs to only programs _accessible_ by a user. This functionality, for example, sets forth a process for the "list ... to be limited by parental access controls" for a user or user profile (Original Application, p. 5, ll. 21-23).

The correlation between the ability to access a set of programs and their placement on a list is not suggested or taught in the Das reference. Therefore, the Applicant

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respectfully submits that the specified limitations in independent claims 1, 4, 12, and 15 are not

taught or suggested in Das. These claims are allowable for at least these reasons. Claims 2, 3, 5-

11, 13, 14, and 16-21 each depend from these independent claims, and are believed allowable for

at least the same reasons as given above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this

Application are in condition for allowance. The issuance of a formal Notice of Allowance at an

early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of

this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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